

108TH CONGRESS
2D SESSION

H. R. 2707

AN ACT

To provide for an assessment of the extent of the invasion of Salt Cedar and Russian Olive on lands in the Western United States and efforts to date to control such invasion on public and private lands, including tribal lands, to establish a demonstration program to address the invasion of Salt Cedar and Russian Olive, and for other purposes.

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Salt Cedar and Rus-
5 sian Olive Control Assessment and Demonstration Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) SECRETARIES.—The term “Secretaries”
9 means the Secretary of Agriculture, in cooperation
10 with the Secretary of the Interior.

11 (2) WESTERN UNITED STATES.—The term
12 “Western United States” refers to the States de-
13 fined by the Act of June 17, 1902 (commonly known
14 as the 1902 Reclamation Act; 43 U.S.C. 371 et
15 seq.), which includes Arizona, California, Colorado,
16 Idaho, Kansas, Montana, Nebraska, Kansas, Okla-
17 homa, Nevada, New Mexico, Oregon, Texas, Utah,
18 Washington, and Wyoming.

19 **SEC. 3. ASSESSMENT OF SALT CEDAR AND RUSSIAN OLIVE**
20 **INFESTATION IN WESTERN UNITED STATES.**

21 (a) ASSESSMENT.—Not later than one year after the
22 date on which funds are first made available to carry out
23 this section, the Secretaries shall complete an assessment
24 of the extent of Salt Cedar and Russian Olive invasion
25 in the Western United States.

1 (b) CONTENT.—The assessment shall include the fol-
2 lowing:

3 (1) To the extent practicable, documentation of
4 the quantity of water lost due to the infestation.

5 (2) Documentation of the quantity of water
6 saved due to various control methods, including the
7 portion of saved water that returns to surface water
8 or groundwater supplies and at what rates.

9 (3) Determination of the optimum control
10 method for the various land types and land uses.

11 (4) Determination of what conditions indicate
12 the need to remove such growth and the optimal
13 methods for disposal or use of such growth.

14 (5) Determination of methods to prevent the re-
15 growth and reintroduction of Salt Cedar and Rus-
16 sian Olive and to reestablish native species.

17 (c) REPORT ON ASSESSMENT.—

18 (1) PREPARATION AND CONTENT.—The Secre-
19 taries shall prepare a report containing the results
20 of the assessment. The report shall identify long-
21 term management and funding strategies that could
22 be implemented by Federal, State, Tribal, and pri-
23 vate land managers and owners on all land manage-
24 ment types to address the invasion of Salt Cedar
25 and Russian Olive. The report shall also identify de-

1 iciencies or areas for further study and where ac-
2 tual field demonstrations would be useful in the con-
3 trol effort.

4 (2) SUBMISSION.—The Secretaries shall submit
5 the report to the Committee on Resources and the
6 Committee on Agriculture of the House of Rep-
7 resentatives and the Committee on Agriculture, Nu-
8 trition, and Forestry and the Committee on Energy
9 and Natural Resources of the Senate.

10 (d) SUPPORT FOR IDENTIFICATION OF LONG-TERM
11 MANAGEMENT AND FUNDING STRATEGIES.—The Secre-
12 taries may make grants to institutions of higher education
13 or nonprofit organizations (or both) with an established
14 background and expertise in the public policy issues asso-
15 ciated with the control of Salt Cedar and Russian Olive
16 to obtain technical experience, support, and recommenda-
17 tions related to the identification of the long-term manage-
18 ment and funding strategies required to be included in the
19 report under subsection (c)(1). Each grant awarded under
20 this subsection may not be less than \$250,000.

21 **SEC. 4. DEMONSTRATION PROGRAM FOR CONTROL OF**
22 **SALT CEDAR AND RUSSIAN OLIVE IN WEST-**
23 **ERN STATES.**

24 (a) DEMONSTRATION PROJECTS.—

1 (1) PROJECTS REQUIRED.—Based on the re-
2 sults of the assessment and report in section 3, the
3 Secretaries shall initiate a program of not fewer
4 than three demonstration projects in the Western
5 United States designed to address the deficiencies
6 and areas for further study to address the invasion
7 of Salt Cedar and Russian Olive, including the test
8 of additional control methods, identified by the re-
9 port.

10 (2) IMPLEMENTATION.—The Secretaries may
11 enter into an agreement with a State in the Western
12 United States to carry out a demonstration project.
13 If the Secretaries select a demonstration project for
14 implementation on National Forest System lands,
15 the Secretary of Agriculture shall be responsible for
16 implementation of the project.

17 (b) ELEMENTS OF PROJECTS.—

18 (1) DESIGN AND SCALE.—Each demonstration
19 project shall be designed with integrated methods
20 and adaptive management strategies and carried out
21 over time frames and spatial scales large enough to
22 accomplish the goals laid out in the report.

23 (2) SCIENTIFIC REVIEW.—Before being carried
24 out, the methods and strategies proposed for each
25 demonstration project shall be subject to review by

1 scientific experts, including non-Federal experts, se-
2 lected by the Secretaries. The Secretaries may use
3 existing scientific review processes to the extent they
4 comply with this requirement.

5 (c) PROJECT COSTS AND COST SHARING.—The total
6 cost of each demonstration project may not exceed
7 \$7,000,000, including the costs of planning, design, imple-
8 mentation, revegetation, maintenance, and monitoring. In
9 the case of a demonstration project conducted on lands
10 under the jurisdiction of the Secretary of the Interior or
11 the Secretary of Agriculture, the Secretaries may accept,
12 but not require, funds or in-kind contributions, including
13 State agency provided services. The Federal share of the
14 costs of any activity on private lands funded under the
15 project shall be no more than 75 percent of the total cost
16 of the activity.

17 (d) REPORTING REQUIREMENT.—During the period
18 in which the demonstration projects are carried out, the
19 Secretaries shall submit to the congressional committees
20 specified in section 3(c)(2) an annual report describing—

- 21 (1) the demonstration projects;
- 22 (2) the progress made in carrying out the
- 23 projects during the period covered by the report; and
- 24 (3) the costs of the projects under subsection
- 25 (c).

1 (e) MONITORING.—Demonstration projects shall in-
2 clude the following:

3 (1) Documentation of the quantity of water
4 saved due to various control methods, including the
5 portion of water saved that returns to surface water
6 or groundwater supplies and at what rates.

7 (2) Optimal revegetative states to prevent the
8 regrowth and reintroduction of Salt Cedar and Rus-
9 sian Olive and to reestablish native species.

10 (f) COOPERATION.—The Secretaries shall use the ex-
11 pertise of their various agencies, as well as other Federal
12 agencies, institutions of higher education, State and local
13 governments and political subdivisions thereof, including
14 soil and water conservation districts, and Indian tribes,
15 which are actively conducting assessments on or imple-
16 menting Salt Cedar and Russian Olive control activities.

17 **SEC. 5. RELATION TO OTHER AUTHORITY.**

18 Nothing in this Act shall be construed to affect, or
19 otherwise bias, the use by the Secretaries of other statu-
20 tory or administrative authorities to plan or conduct Salt
21 Cedar or Russian Olive control and eradication that is not
22 planned or conducted under this Act.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) ASSESSMENT.—There are authorized to be appro-
3 priated to the Secretaries \$5,000,000 for fiscal year 2005
4 to conduct the assessment required by section 3.

5 (b) GRANTS.—There are authorized to be appro-
6 priated to the Secretaries \$1,000,000 for fiscal year 2005
7 to award as grants under section 3(d).

8 (c) DEMONSTRATION PROJECTS.—There are author-
9 ized to be appropriated to the Secretaries \$18,000,000 for
10 each of the fiscal years 2005 through 2009 to carry out
11 the program of demonstration projects under section 4.

Passed the House of Representatives February 24,
2004.

Attest:

Clerk.